

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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KINGVISION PAY-PER-VIEW, LTD.,

Plaintiff,

v.

RADHAMMES MENDEZ, et al.,

Defendant.

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GARAUFIS, United States District Judge.

ORDER

03-CV-2170 (NGG) (CLP)

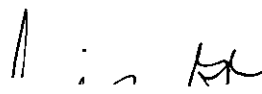
On November 21, 2006, Magistrate Judge Cheryl L. Pollak issued a Report and Recommendation (R&R) recommending: (1) default judgment be entered against the Defendant; (2) Plaintiff be awarded \$1,000 in statutory damages pursuant to 47 U.S.C. §§ 605(e)(3)(C)(i)(II), 605(e)(3)(C)(ii), and 605(e)(3)(B)(iii), \$10,000 in enhanced damages, and \$165 in litigation expenses; and (3) denying attorney's fees and costs. No party has filed objections to the R&R.

In reviewing an R&R, this court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). In order to accept a Magistrate Judge's R&R where no timely objection has been made, the "court need only satisfy itself that there is no clear error on the face of the record." Urena v. New York, 160 F. Supp.2d 606, 609-10 (S.D.N.Y. 2001) (quoting Nelson v. Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985)); see also Pizarro v. Bartlett, 776 F. Supp. 815, 817 (S.D.N.Y. 1991) (court may accept report if it is "not facially erroneous").

The R&R is comprehensive and extremely well-reasoned. The court finds no clear error in the R&R and therefore adopts the R&R for the reasons stated therein. Plaintiff's motion for entry of default judgment, damages, and litigation expenses is hereby GRANTED. Plaintiff's motion for attorney's fees and costs is hereby DENIED. The clerk of the court is directed to close this case.

SO ORDERED.

Dated: December 28, 2006
Brooklyn, N.Y.



Nicholas G. Garaufis
United States District Judge